

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EXITEXCHANGE CORP. a Texas
corporation

Plaintiff,

vs.

TRAVELOCITY.COM LP, a Delaware
entity,

vs.

KAYAK SOFTWARE CORPORATION, a
Delaware corporation,

Defendant.

vs.

TRIPADVISOR LLC, a Delaware
corporation,

Defendant.

Consolidated Civil Action No.:
2:13-cv-396-JRG

Consolidating

Civil Action No.: 2:13-cv-00404-JRG

JURY TRIAL DEMANDED

Civil Action No.: 2:13-cv-00397-JRG

JURY TRIAL DEMANDED

Civil Action No.: 2:13-cv-00406-JRG

JURY TRIAL DEMANDED

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF
THEIR MOTION TO STAY LITIGATION PENDING REEXAMINATION OF THE
PATENT-IN-SUIT**

Defendants Travelocity.com LP, KAYAK Software Corporation, and TripAdvisor LLC (collectively, “Defendants”) file this Notice of Supplemental Authority in support of their respective Motions to Stay Pending Reexamination and would respectfully show the Court as follows:

In July 2013, Defendants filed related Motions to Stay this litigation pending the ex parte reexamination of U.S. Patent 7,353,229 (the “‘229 Patent”). Within those Motions, Defendants informed the Court that the USPTO issued its first office action, rejecting all twenty-two (22) claims of the ‘229 Patent, on June 26, 2013.

On August 27, 2013, the patentee filed a response to the rejection wherein eighteen (18) claims of the ‘229 Patent were voluntarily cancelled by the patentee, four (4) of the original claims were argued, and fifty-seven (57) new claims were added.

Most recently, on November 13, 2013, the USPTO issued a second Office Action, wherein it again rejected the four (4) original claims of the ‘229 Patent, and also rejected all fifty-seven (57) new claims of the ‘229 Patent. Thus, all of the claims of the ‘229 Patent remain either rejected or voluntary cancelled.

Defendants respectfully file this notice to provide the Court with a further update regarding the status of reexamination. A true and correct copy of the most recent Office Action is attached as Exhibit A to this Notice.

Dated: December 10, 2013

Respectfully submitted,

JACKSON WALKER L.L.P.

/s/Matthew C. Acosta

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**ATTORNEYS FOR DEFENDANT
TRAVELOCITY.COM LP; KAYAK SOFTWARE
CORPORATION; AND TRIPADVISOR LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 10th day of December 2013. Any other counsel of record will be served by facsimile transmission and/or first class mail.

/s/Matthew C. Acosta

Matthew C. Acosta